

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHEN DIVISION**

**UNITED STATES OF AMERICA** )  
                                )  
                                )  
                                )  
**v.**                            ) CRIM NO. 2:05CR137-F  
                                )  
**GEORGE DAVID SALUM**     )

**RESPONSE TO MOTION TO QUASH SUBPOENA  
FILED BY HON. ROIANNE H. CONNER**

COMES NOW the Defendant George David Salum, and by and through his undersigned counsel responds to the Motion to Quash Subpoena which he received at 3 p.m. on Friday, November 4, 2005 as follows:

1. At 9 a.m. this November 4, 2005, the undersigned received his first contact from witness Conner stating that she has a problem with the subpoena.
2. Attached hereto is a copy of the undersigned's letter response to Ms. Conner, which is incorporated herein.
3. The undersigned has difficulty understanding Ms. Conner's statement that she has been planning for several months to go to North Carolina to be with her husband on Wednesday, November 9, 2005, because she used a similar out-of-state excuse related to her husband to get out of a scheduled deposition in mid-October, 2005 in the civil lawsuit filed by her client Raymond David DeJohn against George David Salum and multiple other Defendants.

4. The defense considers Ms. Conner a key adverse witness, both for defendant's case-in-chief and for possible impeachment purposes.
5. The interests of due process and justice require that Ms. Conner be available, as per the subpoena.

RESPECTFULLY submitted this the 4<sup>th</sup> day of November, 2005.

/s/ Julian L. McPhillips, Jr.  
Electronically signed  
By: Julian L. McPhillips, Jr., (MCP004)  
Attorney for the Defendant  
516 S. Perry Street  
Montgomery, AL 36104

OF COUNSEL:

MCPHILLIPS SHINBAUM, LLP  
P.O. BOX 64  
MONTGOMERY, AL 36101  
(334) 262-1911

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing by placing a copy of same in the United States Postal Service, postage prepaid and properly addressed, and by electronically filing with the clerk of the Court, to the following address on this the 4<sup>th</sup> day of November, 2005, upon:

Hon. Dixie Morrow  
Assistant United States Attorney  
Northern District of Florida  
21 E. Garden Street, Ste. 400  
Pensacola, FL 32502

/s/ Julian L. McPhillips, Jr.  
Electronically signed  
BY: JULIAN L MCPHILLIPS JR